

EXHIBIT A

EXHIBIT A

DA-DAZE-NOM MANZANARES - 06/26/07

Case No. 3:07-CV-00076

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DA-DAZE-NOM MANZANARES,

Plaintiff,

vs.

ELKO COUNTY SCHOOL DISTRICT, and
GARY LEE JONES, SR. As agent for ELKO
COUNTY SCHOOL DISTRICT, and GARY LEE JONES, SR.,
Individually, and CORPORATION OF THE
PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS, et al.,

Defendants.

_____/

COPY

VIDEOTAPED DEPOSITION OF

DA-DAZE-NOM MANZANARES

June 26, 2007

Reno, Nevada

SUNSHINE REPORTING SERVICES

(775) 883-7950 or (775) 323-3411

REPORTED BY: GAIL R. WILLSEY CA CSR 9748; NV CSR 359

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A P P E A R A N C E S

FOR THE PLAINTIFF: LISA MENDEZ, ESQ.
927 Idaho St.
Elko, Nevada 89801

FOR THE DEFENDANT: WATSON ROUNDS
FOR GARY LEE JONES By: COLT DODRILL, ESQ.
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FOR THE DEFENDANTS: ROBISON, BELAUSTEGUI,
THE MORMON CHURCH BY: KENT R. ROBISON, ESQ.
71 Washington St.
Reno, Nevada 89503

FOR THE DEFENDANTS: ERICKSON, THORPE & SWAINSTON, LTD.
ELKO COUNTY BY: THOMAS P. BEKO, ESQ.
99 W. Arroyo St.
P.O. Box 3497
Reno, Nevada 89503

ALSO PRESENT: BRENT L. RYMAN, ESQ.

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BE IT REMEMBERED that on Tuesday, the 26th day of June, 2007, at the hour of 9:00 A.M. of said day, at the offices of ROBISON, BELAUSTEGUI, SHARP AND LOW, 71 Washington St., Reno, Nevada, before me, GAIL R. WILLSEY, a notary public, personally appeared DA-DAZE-NOM MANZANARES, who was by me first duly sworn and was examined as a witness in said cause.

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DA-DAZE-NOM MANZANARES,
called as a witness herein, having been
duly sworn, testified as follows:

EXAMINATION

BY MR. ROBISON:

Q Good morning. As I said, my name is Kent Robison, and I represent two of the defendants in this case that you've brought an action against.

Before I start asking you questions, I want to go through some of the rules that apply to this procedure. Have you had a deposition taken of you before?

A No.

Q All right.

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I N D E X

EXAMINATION

Examination by Mr. Robison
Examination by Mr. Beko

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EXHIBITS

Exhibit 1 Complaint
Exhibit 2 Transcript
Exhibit 3 Suicide Report
Exhibit 4 J.C. Penny receipt
Exhibit 5 Writings
Exhibit 6 Writings
Exhibit 7 Writings
Exhibit 8 Poetry
Exhibit 9 Picture
Exhibit 10 Address Book
Exhibit 11 Address book
Exhibit 12 Folder
Exhibit 13 Folder
Exhibit 14 Nummie
Exhibit 15 Book Cover
Exhibit 16 Xerox copy name tags
Exhibit 17 Pack of documents
Exhibit 18 Calendar
Exhibit 19 Calendar
Exhibit 20 Picture of Gary

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First and most important is would you please keep your voice up. We would encourage you to yell and get it up because she has to hear you and the videographer has to hear you and the attorneys down the table have to hear you, okay?

A Okay.

Q And I will remind you from time to time, as will the other attorneys, to keep your voice up; okay?

A All right.

Q We're not trying to be rude, we're just trying to make sure that everybody hears you.

The second request that I would make of you is that if you can answer a question with words please. Like "Yes" or "No," please use "Yes" or "No" rather than non-verbal gestures like shaking or nodding your head because you will get a transcript of what you say here today and we want to read the words rather than the gestures?

A Okay.

Q So please try to avoid, if you can, "uh-huh" or "Huh-huh," and I don't even know the difference sometimes.

If you do that, I might say, "Is that a yes or is that a No," and please be patient with me and we'll make sure that the record is clear, deal?

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3 (Pages 6 to 9)

Page 6

1 A Deal.
 2 Q Keep your voice up.
 3 A Okay.
 4 Q If you have any confusion or any problem with
 5 what the question is or what it means or what
 6 information we're trying to obtain, please let us
 7 know.
 8 A Okay.
 9 Q And if you want us to rephrase the question
 10 or make it more clear, we will be happy to do so.
 11 A Okay.
 12 Q And we don't want there to be any confusion
 13 about what I ask and you misunderstood me and gave me
 14 a wrong answer to a wrong question.
 15 So we'll try our best to make sure that we
 16 understand one another so the questions are responsive
 17 to or excuse me, the answers are responsive to the
 18 questions, okay?
 19 A Okay.
 20 Q If you want to take a recess or a break,
 21 please let us know and we'll be happy to do that.
 22 As I told you, this room gets a little warm
 23 in the summer, and we will probably be taking a recess
 24 about every hour today; all right?
 25 A Okay.

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1 Q However, if I'm asking a question or one of
 2 these other gentlemen are asking you a question and
 3 you ask to take a recess while that question is
 4 pending and you discuss that question with your
 5 attorney, we're entitled to go into that discussion.
 6 So what we're going to try to do is make sure
 7 that you answer the question before we take a recess
 8 while the question is pending, understood?
 9 A Yes.
 10 Q How about your health.
 11 You're okay health wise with regard to giving
 12 a deposition today?
 13 A Other than I'm pregnant, yeah, I'm okay.
 14 Q Now, yell at me, please.
 15 A Okay.
 16 Q Are you on medication?
 17 A No.
 18 Q In terms of your mental clarity, are you good
 19 with giving a deposition today?
 20 A Yes.
 21 Q Is there any reason, from a health
 22 standpoint, that the answers that you give us today
 23 would be in any way inaccurate because of a health
 24 condition?
 25 A No.

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1 Q All right.
 2 You indicated to us that you're pregnant?
 3 A Yes.
 4 Q How far along are you?
 5 A Two months.
 6 Q You're due when?
 7 A About the middle of January.
 8 Q January '08 you're due?
 9 A Yes.
 10 Q All right.
 11 I'm going to explain to you why we take
 12 depositions.
 13 A All right.
 14 Q This is a part of the case that we call
 15 "Discovery."
 16 A Okay.
 17 Q And you, through your lawyers, have brought a
 18 lawsuit against various defendants in which you are
 19 seeking compensation. Do you understand that?
 20 A Yes.
 21 Q The rules allow us to do various things to
 22 try to find out everything about your claim. We're
 23 starting off with your deposition and this is our
 24 effort to find out everything about your claim and
 25 about this case.

Page 9

1 A Okay.
 2 Q Now, if you should not tell us the truth and
 3 we find out that one of your answers is untruthful, I
 4 want you to know that one or more of us will try to
 5 show the jury in this case that you weren't honest
 6 with us.
 7 So it's very important that you do your very
 8 best to give answers that are as accurate as possible
 9 to the best of your recollection during this
 10 deposition.
 11 A Okay.
 12 Q All right?
 13 A Yes.
 14 Q At sometime probably tomorrow this deposition
 15 will be transcribed into booklet form. Inside the
 16 booklet form will be every question that's asked here
 17 today, and your answers will be printed out.
 18 You'll have the opportunity to read the
 19 deposition transcript and make any corrections or
 20 additions or modifications to that transcript that you
 21 feel are appropriate.
 22 A Okay.
 23 Q But if you do that and if you change what we
 24 call the substantive content of your answer, we will
 25 probably ask you about you changing your testimony at

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1 the time of trial.
 2 A Okay.
 3 Q That's not to dissuade you from making
 4 corrections that are appropriate but just to alert you
 5 that if you change your answers, we will try to
 6 suggest that you're changing your version after maybe
 7 you consulted with counsel or some such thing.
 8 Do you understand?
 9 A Yes.
 10 Q So it's important today to give a lot of
 11 thought to your answers so that they're your best
 12 recollection and as accurate as possible, understood?
 13 A Yes.
 14 Q Where do you presently reside?
 15 A In New Mexico.
 16 Q Do you have an address, ma'am?
 17 A Not a physical address.
 18 Q If somebody were trying to get ahold of you
 19 with a written communication, how would they do that?
 20 A It's PO Box 1043, Magdalena, New Mexico.
 21 Q Would you say that again, 1043?
 22 A Yes.
 23 Q And what's the name of the community?
 24 A Magdalena.
 25 Q New Mexico?

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1 Q How long have you resided on that
 2 reservation?
 3 A About going on two years.
 4 Q When did you first move to New Mexico?
 5 A May 28 of 2005.
 6 Q How long have you and Mr. Padilla been
 7 boyfriend, girlfriend?
 8 A About three and a half years I would say.
 9 Q All right. Help me out with that.
 10 What is it almost July of 2007, so we're
 11 going back to 2004, mid-part of 2003; does that sound
 12 right?
 13 A No.
 14 Q I think that's three and a half, I'm not
 15 sure.
 16 A Somewhere around there. About let's see,
 17 yeah, somewhere around there.
 18 Q Approximately May of 2003?
 19 A No, not 2003. Around 2005, no not five,
 20 four.
 21 Q All right. 2004?
 22 A About two and a half years, two and a half to
 23 three years.
 24 Q Unfortunately, this deposition is going to
 25 cover a lot of dates and a lot of time periods. So

Page 11

1 A Yes.
 2 Q Zip?
 3 A 87825.
 4 Q And do you have a telephone number?
 5 A Yes, area code 505 854-3290.
 6 Q Is that a residence?
 7 A Yes.
 8 Q And with whom do you presently live?
 9 A My boyfriend.
 10 Q And his name?
 11 A Donald Padilla.
 12 Q Do you want to spell that last name for us,
 13 please?
 14 A P A D I L L A.
 15 Q And is Don employed?
 16 A Yes.
 17 Q What is his employment?
 18 A He works with the A N S B, Alamo Navajo
 19 Community School.
 20 Q Do you reside on a reservation?
 21 A Yes.
 22 Q And the name of the reservation?
 23 A Alamo Navajo.
 24 Q Alamo Navajo?
 25 A Correct.

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1 when I ask you about dates and time periods, give it
 2 some thought because it becomes very important to the
 3 merits of this case as you'll see soon.
 4 So you and Mr. Padilla have known each other
 5 since approximately May of 2004?
 6 A Yes.
 7 Q How did you meet?
 8 A Through the Internet.
 9 Q Were you responding to some kind of dating
 10 service?
 11 A Something like that.
 12 Q Okay. Well, I'll let other people go into
 13 that.
 14 Where were you when you and he met on the
 15 Internet?
 16 A I was living in Owyhee.
 17 Q Address please?
 18 A P O Box 303, Owyhee, Nevada 89832.
 19 Q And so in May of 2004, would that be the best
 20 estimate that you can give us that you and he made
 21 contact on the Internet?
 22 A Yes.
 23 Q All right.
 24 With whom were you living in Owyhee at that
 25 time?

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5 (Pages 14 to 17)

Page 14

1 A My mom and my stepdad, I believe.
 2 Q Your mother is Martha Seahmer?
 3 A Yes.
 4 Q And your stepdad is Rudolph Seahmer?
 5 A Rudolph Seahmer.
 6 Q When then did you leave Owyhee to go to New
 7 Mexico?
 8 A May 28, 2005 after graduation.
 9 Q All right.
 10 During the period of May of 2004 to May of
 11 2005 during that period of time, did you and Mr.
 12 Padilla continue to develop your relationship on the
 13 Internet?
 14 A Yes. Well, both Internet and in person.
 15 Q When did you first get together in person and
 16 I mean socially, I don't mean intimately?
 17 A Okay. I would say about April 26 of '05 I
 18 believe.
 19 Q Okay.
 20 So approximately a month before you left for
 21 New Mexico, you and he finally had the chance to meet
 22 personally?
 23 A Yes.
 24 Q And then within a month, you decided to go
 25 live in New Mexico?

Page 16

1 A Yes.
 2 Q First name?
 3 A That's his first name.
 4 Q What's his last name?
 5 A Vicente, V I C E N T E.
 6 Q Thank you.
 7 And where is Mr. Vicente from?
 8 A The same place, Alamo.
 9 Q Okay.
 10 So let me kind of backtrack and get this
 11 together. I'm sorry I have to do this but it's
 12 important to the case.
 13 In April of 2005, you and Mr. Padilla get
 14 together personally; correct?
 15 A Yes.
 16 Q And about that time, you make plans to move
 17 to New Mexico to be with him?
 18 A Yes.
 19 Q And then in May of 2005, you actually move
 20 down to Alamo?
 21 A Yes.
 22 Q And start residing with Mr. Padilla?
 23 A Yes.
 24 Q But then in August of '05, you get pregnant
 25 by somebody else?

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1 A Yes.
 2 Q To be with him?
 3 A Yes.
 4 Q Did you begin living together in May of '05?
 5 A Yes.
 6 Q Okay.
 7 Have there been any other pregnancies,
 8 unsuccessful with him?
 9 A No.
 10 Q Have there been other unsuccessful
 11 pregnancies with you?
 12 A No.
 13 Q This is your first time?
 14 A This is my second.
 15 Q When was the first pregnancy?
 16 A I got pregnant in August of '05. The date is
 17 the 27th.
 18 Q August of '05 and was that with Mr. Padilla?
 19 A No.
 20 Q Who was the father of your first pregnancy?
 21 A Emmitte Vicente.
 22 Q Okay. Help us with that, please, with the
 23 pronunciation and spelling if possible?
 24 A E M M I T T E.
 25 Q Emmitte?

Page 17

1 A Yes.
 2 Q Was there a little disruption in the
 3 relationship between yourself and Mr. Padilla?
 4 A Yes.
 5 Q Did you break up?
 6 A No.
 7 Q You were still living together when you got
 8 pregnant by Emmitte Vicente?
 9 A Yes.
 10 Q How did the pregnancy that occurred with Mr.
 11 Vicente, how did that end? Was that through abortion?
 12 A No.
 13 Q How, miscarriage?
 14 A No. I do have the baby.
 15 Q Oh, I'm sorry.
 16 So you how old is your baby?
 17 A She's a year and two months.
 18 Q Her name?
 19 A Jackie Lynn Padilla.
 20 Q Jackie Lynn Padilla.
 21 So Mr. Padilla is the adopted father of
 22 Jackie?
 23 A I just put him on the birth certificate
 24 because the other one didn't want to be.
 25 Q The other one, Emmitte, is he financially

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6 (Pages 18 to 21)

Page 18

1 supporting Jackie at all?
 2 A No.
 3 Q He's not a good father?
 4 A He's a low-life.
 5 Q How long were you involved with Emmitte?
 6 A I would say maybe two months I would say.
 7 Q And that would have been in the end of August
 8 2005 timeframe?
 9 A Yes, around July or June, mid-June.
 10 Q Mid-June of 2005?
 11 A Yes.
 12 Q About a month after you got down to New
 13 Mexico?
 14 A Yes.
 15 Q All right.
 16 A At first, we were friends and then one thing
 17 led to another.
 18 Q Okay.
 19 Now, did that cause a disruption in your
 20 relationship with Mr. Padilla?
 21 A He didn't know until after I got pregnant.
 22 Q When did he learn?
 23 A Around two months after I had the baby.
 24 Q He learned about Emmitte two months after you
 25 had the baby, that doesn't make sense.

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1 Q Okay.
 2 So even though you have these children, you
 3 don't want to be married at this point in time in your
 4 life?
 5 A No.
 6 Q I'll take that as a "No?"
 7 A No. I don't want to.
 8 Q All right.
 9 Do you work?
 10 A Yes, I do.
 11 Q And what is your occupation, please?
 12 A I'm a security guard over at the Alamo
 13 wellness Center.
 14 Q Alamo Wellness Center?
 15 A Yes.
 16 Q All right.
 17 How long have you been employed in that
 18 capacity, ma'am?
 19 A Let's see, getting close to three months.
 20 Q Okay.
 21 A Just say two.
 22 Q And before being a security officer at the
 23 Alamo Wellness Center, were you employed in New
 24 Mexico?
 25 A No.

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1 A I told him everything that went on.
 2 Q Were you living with him?
 3 A Who?
 4 Q Mr. Padilla?
 5 A Yes.
 6 Q Didn't he see you getting kind of more
 7 pregnant?
 8 A Yes, but I told him that it was his.
 9 Q Okay.
 10 A I lied to him.
 11 Q All right.
 12 Now, any other pregnancies?
 13 A No.
 14 Q So when did you become -- two months along
 15 now with Mr. Padilla's child?
 16 A Yes.
 17 Q All right.
 18 Do you have plans to marry?
 19 A No.
 20 Q You're not going to get married?
 21 A No.
 22 Q Why is that?
 23 A Too young.
 24 Q And that's -- how old are you today?
 25 A I'm 20 years old.

Page 21

1 Q So this is your first and only job in New
 2 Mexico?
 3 A Yes.
 4 Q Prior to moving to Alamo, did you have
 5 employment at Owyhee?
 6 A No.
 7 Q And you graduated from high school when,
 8 ma'am?
 9 A May 27, 2005.
 10 Q And by my calculations, you would have been
 11 18 when you graduated?
 12 A Yes.
 13 Q All right.
 14 Did you lose a year or a portion of your
 15 education, for the period of time that you were up in
 16 Boise?
 17 A Yes, I did.
 18 Q Did you graduate late?
 19 A No. I did not.
 20 Q So you graduated on time?
 21 A Yes.
 22 Q Good for you.
 23 A I had to cram all that stuff I lost into my
 24 brain.
 25 Q All right.

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7 (Pages 22 to 25)

Page 22	Page 24
<p>1 Now, I want to go back to your upbringing in</p> <p>2 Owyhee?</p> <p>3 A Okay.</p> <p>4 Q Where were you born?</p> <p>5 A I was born in Nampa, Idaho.</p> <p>6 Q And your father's name is what?</p> <p>7 A Benjamin Manzanares.</p> <p>8 Q Do they call him "Benny" sometimes?</p> <p>9 A Yes.</p> <p>10 Q And your mother?</p> <p>11 A Martha Seahmer.</p> <p>12 Q And I'm sorry, your father's last name is</p> <p>13 Manzanares?</p> <p>14 A Yes.</p> <p>15 Q All right.</p> <p>16 And when was it -- how old were you when you</p> <p>17 moved from Nampa to the next place you lived?</p> <p>18 A Oh man, I have no idea.</p> <p>19 Q Did you move around a lot?</p> <p>20 A I was just a baby. I don't know.</p> <p>21 Q Where did you next live after Nampa?</p> <p>22 A Owyhee.</p> <p>23 Q So when you were a baby, your mom and dad</p> <p>24 moved to Owyhee?</p> <p>25 A Yes.</p>	<p>1 Q And how much older is Seferino than yourself?</p> <p>2 A He's two years older than I am.</p> <p>3 Q Was he in Owyhee in the year 2000?</p> <p>4 A Yes, for a short period of time. Then he</p> <p>5 went off to Job Corp in Salt Lake City.</p> <p>6 Q By the time that Mr. Seahmer, Rudolph, came</p> <p>7 to Owyhee --</p> <p>8 A He was gone.</p> <p>9 Q He was gone?</p> <p>10 A Yes.</p> <p>11 Q All right.</p> <p>12 A So it was just me and my mom.</p> <p>13 Q And then yourself and no other brothers or</p> <p>14 sisters?</p> <p>15 A No.</p> <p>16 Q All right.</p> <p>17 And the year of your birth again is what?</p> <p>18 A 2/14/87.</p> <p>19 Q Valentine's Day?</p> <p>20 A Yes.</p> <p>21 Q 2/14?</p> <p>22 A '87.</p> <p>23 Q All right.</p> <p>24 Now, we understand from various reports that</p> <p>25 your father got in a little bit of trouble?</p>
Page 23	Page 25
<p>1 Q And you have an older brother and an older</p> <p>2 sister?</p> <p>3 A Correct.</p> <p>4 Q Was it Antoinette?</p> <p>5 A Antoinette.</p> <p>6 Q And she is how many years older than you?</p> <p>7 A I think she's like I would say about six or</p> <p>8 seven years older than I am.</p> <p>9 Q Okay.</p> <p>10 And where does she reside now?</p> <p>11 A In Arizona.</p> <p>12 Q During the period of time that you attended</p> <p>13 Owyhee High School and I'm going to use the years 2000</p> <p>14 and 2001, was Annette --</p> <p>15 A Antoinette.</p> <p>16 Q Was she residing in Owyhee?</p> <p>17 A No.</p> <p>18 Q She was in Arizona?</p> <p>19 A No.</p> <p>20 Q So she wasn't there during this period of</p> <p>21 time?</p> <p>22 A No.</p> <p>23 Q How about your older brother, what's his</p> <p>24 name?</p> <p>25 A Seferino, S E F E R I N O.</p>	<p>1 A Yes.</p> <p>2 Q Do you recall the year that that happened?</p> <p>3 A I would have to say it was between the year</p> <p>4 2000 and 2001 or it could be in 2001.</p> <p>5 Q He was accused and convicted of murder?</p> <p>6 A Yes.</p> <p>7 Q And the victim in that situation was whom?</p> <p>8 A My mom's grandniece.</p> <p>9 Q How did that situation arise?</p> <p>10 A We were kind of like foster parents. They</p> <p>11 were triplets.</p> <p>12 Q Right.</p> <p>13 A We were foster parents to them, and I guess</p> <p>14 my dad went out of the control, couldn't control his</p> <p>15 temper.</p> <p>16 Q How old was the niece that died?</p> <p>17 A Either three or four years old.</p> <p>18 Q And he was physically disciplining her?</p> <p>19 A Yes, physical.</p> <p>20 Q And lost control?</p> <p>21 A Yes.</p> <p>22 Q All right.</p> <p>23 A It happened over a period of time, not just</p> <p>24 right there, just, you know, ongoing.</p> <p>25 Q I might ask you a question that's sensitive</p>

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1 but please bear with me.
 2 was your father abusive of you?
 3 A Sexually, no. Mentally, yes. Physically,
 4 yes.
 5 Q And would you describe for us, please, what
 6 you mean by physically abusive?
 7 A Hit me with closed fists, open hand, anything
 8 that's in his sight like a shoe, stick, a cord or
 9 anything any hard object or anything, that's his way
 10 of disciplining.
 11 Q Do you recall him being physically abusive of
 12 Seferino?
 13 A Yes.
 14 Q The same way?
 15 A Yes.
 16 Q Were injuries sustained by you or Seferino,
 17 as a result of this physical abuse?
 18 A Yes.
 19 Q What kind of injuries?
 20 A They would be like marks on our back. My
 21 brother has a long scar on his back from the fire
 22 poker.
 23 Q Oh, boy.
 24 A And I have a couple of marks on my back.
 25 Q From what?

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1 A Once when I got the black eye because I went
 2 to school the next day and my counselors and the
 3 principal saw it. I tried covering it up, but they
 4 didn't believe me.
 5 Q When you made that report, were you in the
 6 same school?
 7 I mean is Owyhee just one school, one
 8 through --
 9 A K through 12.
 10 Q And what did the authorities do when they
 11 found out that your father had beaten you?
 12 A All they did was just took me down to the
 13 police department and took pictures and kind of like
 14 threatened him to take us away. But they didn't
 15 really do any further actions really like putting him
 16 in jail or anything like that.
 17 Q But as far as the fire poker, the discipline
 18 by striking with the fire poker, that was unreported?
 19 A No.
 20 Q That did not get to the authorities; correct?
 21 A No, it did not.
 22 Q Your mom, was she abusive?
 23 A To me?
 24 Q Yes.
 25 A No.

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1 A From the same thing.
 2 Q A fire poker?
 3 A Yes.
 4 Q Was it hot?
 5 A No.
 6 Q Just one that you would use to shake up the
 7 ashes?
 8 A Yes.
 9 Q And he would poke you with that?
 10 A Just go like hit you.
 11 Q With a fire poker?
 12 A Yes.
 13 Q And you have permanent scarring because of
 14 that?
 15 A Yes.
 16 Q Any other type of physical abuse that he
 17 would administer to you?
 18 A He once gave me a black eye.
 19 Q By striking you with his fists?
 20 A Yes.
 21 Q How old were you when that happened?
 22 A I was about six or seven.
 23 Q Okay.
 24 Do you know whether or not that abuse was
 25 ever reported to the authorities?

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1 Q To anyone else?
 2 A No.
 3 Q To your brother or sister?
 4 A No. I mean she would give us a spanking but
 5 not to the extent of bruising and big welts on your
 6 legs or blood or anything like that.
 7 Q You told me that your father also caused you
 8 to suffer emotional abuse.
 9 A Yes.
 10 Q And would you describe that for us, please?
 11 A I was afraid to do a lot of things. Each
 12 time I would do something if it's not up to his
 13 standards, he'll like I guess you could say beat me
 14 and stuff like that.
 15 Q That caused you to be constantly fearful and
 16 some anxiety about the way that you were conducting
 17 yourself?
 18 A Yes.
 19 I would always flinch if he would raise his
 20 hand to do something or if he would come near me, I
 21 would go like that like a little puppy.
 22 Q Yeah, right.
 23 Did you ever receive any treatment,
 24 assistance because of this emotional or physical
 25 abuse?

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9 (Pages 30 to 33)

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1 A At that time, no, I did not.
 2 Q All right.
 3 Now, I'm trying to put this together in a
 4 time line. I understand he got in trouble in 2000?
 5 A Me?
 6 Q No, no, him, your father. Does that sound
 7 right?
 8 A I can't recall.
 9 Q Okay.
 10 A I don't remember.
 11 Q Do you know how old you were when he went to
 12 prison?
 13 A I believe I would have to be about between
 14 the age of 12 to 14, in between there.
 15 Q All right.
 16 A I really don't remember. I know I was in
 17 middle school, though.
 18 Q As I understand some of the reports, you met
 19 Mr. Jones because your father was sent to prison?
 20 A Yes.
 21 Q We're trying to put a date or a month and a
 22 year on that meeting, and we need your best testimony
 23 as to when you would have met Mr. Jones.
 24 A I know it was in the year 2001.
 25 Q Okay, 2001?

Page 32

1 A No, June of 2000.
 2 Q Okay, June of 2000.
 3 Now, hold that date in mind, okay, June of
 4 2000, assume that's right for a moment. Go to the
 5 Elko motel situation which we know is November of
 6 2001.
 7 A Yes.
 8 Q Are you still sure that you had only known
 9 Gary Jones for about six or seven months prior to the
 10 Elko motel?
 11 A It has to be more than that because about a
 12 month after my dad left -- about a half a month after
 13 my dad left, we were in the Elko shelter, and we came
 14 back and then school started again in August and
 15 that's when we started -- let me see. I would say
 16 around about October of 2000 I have known Gary, that's
 17 when he started coming around and stuff like that.
 18 Q To help the family?
 19 A Yes.
 20 Q You mentioned the Elko shelter?
 21 A Yes.
 22 Q Because of your father's departure for
 23 prison, were you and your brother put in a shelter in
 24 Elko?
 25 A Me, my mom and my brother.

Page 31

1 A Yes.
 2 Q If we do some math with some of these
 3 reports, sometimes it's 2001 and sometimes it's not,
 4 but we're trying to get down to the best recollection
 5 you have.
 6 Let me try it this way. In the reports,
 7 there is a description of you staying in a motel with
 8 Mr. Jones in November of 2001. Can you go back from
 9 the Elko motel situation and tell us how many months
 10 before that it was that you may have met him?
 11 A Six or seven months I believe.
 12 Q That makes sense, at least to me.
 13 That would have put it back in the summer
 14 spring of 2001.
 15 A Yes, that sounds right.
 16 Q And you would have been 14 years old, if my
 17 math is correct, in 2001?
 18 A I was about 13 when my dad left, around 13
 19 going on 14.
 20 Q All right.
 21 Now, see if your dad left in the summer of --
 22 A July of 2000, that's when he left I remember
 23 now because we were getting taken out of school and
 24 there was a week left of school so I remember now.
 25 Q In July of 2000?

Page 33

1 Q How did that happen?
 2 A The FBI told us to stay in there for several
 3 weeks or a couple of months, something like that,
 4 while my dad was still -- he was in Owyhee still until
 5 they came to pick him up. Then they picked him up
 6 within about a week.
 7 Q After the child died?
 8 A Yes.
 9 Q All right.
 10 A And then from there, I think they put him in
 11 the Elko county jail.
 12 Q All right.
 13 A They could have put him there or they could
 14 have sent him over here to Reno to Washoe.
 15 Q I'm going to try to reconstruct this as your
 16 best recollection because these dates are very
 17 important to us, okay?
 18 A Okay.
 19 Q Approximately August of 2000, you think
 20 you're in the Elko shelter?
 21 A Uh-huh.
 22 Q Is that correct?
 23 A Yes.
 24 Q And they put you in the Elko shelter --
 25 A In August?

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10 (Pages 34 to 37)

Page 34

1 Q I think that's what you said.
 2 A No, not in August.
 3 Q When were you in the Elko shelter?
 4 A Around the mid-part of June to the first part
 5 of July. Then in August, we went back to school.
 6 Q All right.
 7 In the Elko shelter somewhere in the
 8 timeframe of June and July of 2000; correct?
 9 A Yes.
 10 Q And then in August, you're allowed to return
 11 to Owyhee?
 12 A Yes.
 13 Q And reside in your house?
 14 A Yes.
 15 Q And return to school?
 16 A Yes.
 17 Q What grade were you in?
 18 A Oh geez, let's see, I would have been a
 19 freshman, 9th grade.
 20 Q My math says you're 13 years old in 2000
 21 after February 14.
 22 A Then 8th grade because in 2001, I was a
 23 freshman.
 24 Q So you're in 8th grade you think in 2000?
 25 A Let me see, I was in 7th grade.

Page 36

1 been 10th grade?
 2 A In 2004, I had to make up two grades at the
 3 same time.
 4 Q All right.
 5 In 2002, do you remember in August of 2002
 6 was the attempted suicide; okay?
 7 A Uh-huh.
 8 Q Yes?
 9 A Yes.
 10 Q 2002 to 2003, were you a sophomore?
 11 A Yes.
 12 Q Did you go to school the fall semester in
 13 2002 or did you go to Boise and stay there for a
 14 while?
 15 A I think I went to Boise and stayed there
 16 because I know when I came back, I had to repeat two
 17 grades.
 18 Q Right. And that was I think in January of
 19 2003?
 20 A Yes, you're right, I was a sophomore then
 21 because I remember coming back. Then I had to do my
 22 sophomore year plus my junior year.
 23 Q Okay.
 24 But all this is going to one simple question
 25 and that is when did you meet Gary Jones?

Page 35

1 Q When you met Mr. Jones, do you know what
 2 grade you were in?
 3 A Yeah, I was a freshman.
 4 Q That's 9th grade?
 5 A Yeah, 8th grade going into 9th grade.
 6 Then from there, I had to repeat my that's
 7 —during my freshman and sophomore year, I was out and
 8 then coming back half of my sophomore year, I had to
 9 make all that up.
 10 Q That didn't help me at all.
 11 We're going to go from graduation.
 12 A Okay, that would be easier.
 13 Q And we know graduation is 12th grade and that
 14 occurred when?
 15 A May 27, 2005.
 16 Q All right.
 17 So that's 12th grade?
 18 A Yes.
 19 Q Go back a here to May of 2004?
 20 A The 11th grade.
 21 Q Go back to May of 2003.
 22 A In 2003 was 10th; right?
 23 Q Unless we missed some school in there so be
 24 sure about this.
 25 So we go back to May of 2003, it would have

Page 37

1 A In 2000, I think.
 2 Q Would it have been a full year before the
 3 Elko motel situation?
 4 A Not really.
 5 Q That's what I think.
 6 A No, it couldn't have because this whole thing
 7 between me and Gary had been on for about a year.
 8 Q Prior to what?
 9 A Prior to him getting caught.
 10 Q Well, let's suggest he got caught after the
 11 attempted suicide in August of 2002, fair?
 12 A Yes.
 13 Q All right.
 14 So if you had been seeing him for about a
 15 year, that would put it back to the summer of 2001
 16 which is consistent with some of the reports?
 17 A Yes, it would be because after I did attempt
 18 suicide, that's when they started really getting into
 19 the investigation and stuff, yes.
 20 Q Right.
 21 (Exhibit No. A was marked.)
 22 BY MR. ROBISON:
 23 Q We have marked as Exhibit A to your
 24 deposition the Complaint that is filed by you against
 25 the defendants.

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11 (Pages 38 to 41)

Page 38

1 A Okay.

2 Q I'm not going to talk to you about that right

3 now but you have given a video and an audio recorded

4 statement to the Elko Police Department.

5 Do you remember that?

6 A No.

7 Q With Miss Bowers?

8 A I don't remember.

9 Q You sat in a little room.

10 I can play some of it for you and it might

11 refresh your recollection; do you want me to do that?

12 A Yes.

13 Q All right.

14 Let me ask some preliminary questions.

15 A Okay.

16 (Exhibit B was marked.)

17 BY MR. ROBISON:

18 Q This is our transcript, Exhibit B, of that

19 statement. I'm going to show you the video in a

20 moment but what I want to do is ask you to turn to

21 Page 8 and 9 of the transcript Exhibit B.

22 Now, Page 8, Detective Connie Bowers is

23 trying to find out what I'm trying to find out and

24 that's when you first met Gary Jones. Are you with

25 me?

Page 40

1 Then she says "Okay. And so did you and he

2 start doing things together?" And you say, "Uh-huh.

3 Not until gee I think six or seven months later."

4 I read that to understand that about six or

5 seven months after you met Gary Jones, this physical

6 relationship evolved?

7 A Yes.

8 Q And you say in this statement that that

9 started at the motel in Elko?

10 A Yes.

11 Q So that we know is November of 2001?

12 A Yes.

13 Q So do you believe that was six or seven

14 months before the Elko situation where you first met

15 Gary Jones?

16 A Yes.

17 Q Is this truthful testimony?

18 A Yes, I do remember now.

19 Q Okay.

20 Then I won't have to play the tape right now.

21 I'll play it later.

22 A No.

23 Q Okay.

24 So we're going to go forward in this case

25 believing that you met Gary Jones about May or June of

Page 39

1 A Yes.

2 Q All right.

3 Let's start at the top of Page 8. You say,

4 "But they came over to help you and your mother."

5 "Yes."

6 "Get through this period when your dad went

7 to prison?" You say "Uh-huh."

8 "So how did your relationship start with

9 him?" And you say, "I didn't really like him at

10 first. I hated his guts." She says, "okay, that's

11 honest." You say, "I was afraid of him. Then a

12 little later on, I started growing out of that." She

13 says, "What caused you to do that?" And you say, "I

14 don't know. He started to be nice to me I guess."

15 She says, "How was he nice?" And you say, "Like any

16 uncle would treat you or aunt would treat you, like

17 your mom would treat you."

18 The question is asked, "So you came to look

19 at him first as an uncle figure or something?"

20 "Uh-huh."

21 "okay." Your answer, "Well, my aunt and my

22 mom and some of my relatives were telling me that he

23 was my uncle and his sister was telling me that." She

24 says "what?" And you say, "His sister was telling me

25 that he was my uncle and she was my aunt."

Page 41

1 2001, deal?

2 A Deal.

3 Q All right. I want to stop right there.

4 What faith were you in June of 2001?

5 A It was called a non-denominal.

6 Q Non-denomination?

7 A Yes.

8 Q You had never been to the Mormon church?

9 A Like going to church?

10 Q Right.

11 A No. But yes, I've been in there. You know,

12 like for my mom used to have a friend that quilts and

13 I used to go help them quilt.

14 Q Don't take me there, my wife does that.

15 A Then I was small enough to climb under and

16 stick the needle through.

17 Q But you didn't do that to go there for church

18 purposes?

19 A No.

20 Q You just went there because it was where your

21 mom was?

22 A Right.

23 Q And you had never participated in any Mormon

24 service?

25 A No.

Page 42

1 Q Never been a member of any of the youth
2 groups in the Mormon church?
3 A No.
4 Q You don't know anything about the Mormon
5 church philosophies as of that time?
6 A No.
7 Q You were never given teachings or preachings
8 from the Mormon church at that time?
9 A No.
10 Q Correct?
11 A Yes.
12 Q I'm going to ask you whether or not you know
13 what the weekly sacrament services are about at the
14 Mormon church?
15 A I don't know what that is.
16 Q You have no idea?
17 A I have no idea.
18 Q Do you know about the weekly primary
19 situations that young girls were involved in in the
20 Mormon church?
21 A No.
22 Q Okay.
23 And you still don't have any knowledge about
24 that?
25 A Still don't know.

Page 44

1 A No.
2 Q Have you ever participated or attended a
3 baptism at the Mormon church?
4 A No.
5 Q Do you know how they're done?
6 A I think so. I don't know.
7 Q And is that something you just heard from
8 your friends?
9 A Yes.
10 Q How about a confirmation, do you know what
11 that is?
12 A No.
13 Q Do you know whether or not any of your
14 friends have ever been confirmed?
15 A No.
16 Q All right.
17 Ever been to a Mormon baby blessing?
18 A I didn't even know they had those.
19 Q All right.
20 It's safe to say, is it not ma'am, that
21 you've never ever been affiliated with the Mormon
22 church?
23 A Never ever.
24 Q And you don't know anything about the Mormon
25 church; correct?

Page 43

1 Q All right.
2 Were you a member of any Young Woman's Relief
3 Society?
4 A No.
5 Q How about Society Services Group?
6 A No.
7 Q Never heard of that?
8 A No.
9 Q Don't know anything about that Mormon --
10 A No.
11 Q And you didn't go to Sunday school?
12 A No.
13 Q At the Mormon church?
14 A No.
15 Q You don't know anything about what they do in
16 Sunday school?
17 A No, I don't.
18 Q Do you know anything about the monthly fasts
19 at the Mormon church?
20 A No.
21 Q Do you know anything about the testimony
22 meetings at the Mormon church?
23 A No.
24 Q Do you know anything about the baptism
25 services at the Mormon church?

Page 45

1 A No. I do not.
2 Q I still have to ask these questions. I know
3 the answer but I still have to ask them.
4 You haven't gone to any church functions?
5 A No.
6 Q And you haven't gone to any Mormon church
7 dinners?
8 A No.
9 Q And you haven't gone to any of the talent
10 programs?
11 A No.
12 Q Never participated in their talent programs?
13 A No.
14 Q Never been a participant or an observer of
15 their Christmas or holiday functions?
16 A No.
17 Q Have you or have you not?
18 A No.
19 Q Have you been at their holiday functions?
20 A No.
21 Q You have no familiarity at all with the
22 church structure; do you, ma'am?
23 A No.
24 Q And have you ever been requested to serve as
25 a leader in the church?

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13 (Pages 46 to 49)

Page 46

1 A No.
 2 Q Have you ever been requested to be a member
 3 of the church?
 4 A No.
 5 Q Have you ever paid a tithing?
 6 A No.
 7 Q Do you know what a tithing is?
 8 A You give money to them. I don't know.
 9 Q Okay.
 10 In any event, you haven't done it; correct?
 11 A No.
 12 Q How about fast offerings?
 13 A No. I wish they would give an offering to me.
 14 Q All right.
 15 But you haven't participated in fast
 16 offerings with the Mormon church, have you?
 17 A No.
 18 Q No participation at all in home teaching
 19 programs?
 20 A No.
 21 Q Ever sat down and prayed with anybody from
 22 the Mormon church?
 23 A No.
 24 Q Every received any spiritual guidance from
 25 anybody at the Mormon church?

Page 48

1 why do you think they're crazy?
 2 A I don't know. They just have weird beliefs,
 3 I guess.
 4 Q Is that what you've heard from your friends?
 5 A Even on T V.
 6 Q And the things that have occurred in your
 7 life that make you think that the Mormon church is
 8 crazy, as you put it, is things that you've heard from
 9 friends or seen on TV?
 10 A Yes.
 11 Q And not from Gary Jones?
 12 A No.
 13 Q And Gary Jones never tried to preach to you?
 14 A No.
 15 Q He never tried to convert you?
 16 A He did once but I told him "No," I didn't
 17 want to.
 18 Q Are you aware that the Mormon church is
 19 actually run by lay people? Do you know what I mean
 20 by that?
 21 A What?
 22 Q They don't go to seminaries. They don't go
 23 to school to be priests; did you know that?
 24 A Huh-huh.
 25 Q Anyway, Gary Jones never tried to put the

Page 47

1 A No.
 2 Q Have you ever been indoctrinated or taught
 3 about the Mormon church beliefs and philosophies by
 4 anybody?
 5 A Yes, by my aunt, my Dad's sister.
 6 Q What's her name?
 7 A Lucille Grover.
 8 Q Was she a resident of Owyhee?
 9 A No. She lives in Salt Lake, Utah. She used
 10 to but now she lives somewhere I don't know where she
 11 lives.
 12 Q Is Lucille your aunt on your mother's side?
 13 A No, on my Dad's side.
 14 Q That's your Dad's sister?
 15 A Yes.
 16 Q Did Aunt Lucille talk to you about Mormon
 17 philosophies and beliefs?
 18 A All she said is that I should become a Mormon
 19 and stuff like that.
 20 Q Oh, I see.
 21 So she thought that it might be in your best
 22 interests to become a member of their church?
 23 A Yeah. I told her that they're crazy, and she
 24 got mad at me.
 25 Q And your belief is your belief.

Page 49

1 Mormon beliefs in your head, did he?
 2 A No.
 3 Q And you never looked to him as some kind of
 4 pastor or minister to help you spiritually, did you?
 5 A No.
 6 Q And you never imposed trust or confidence in
 7 him from a spiritual sense?
 8 A No.
 9 Q All right.
 10 Gary Jones became a friend of yours; correct?
 11 A Yes.
 12 Q And then it later evolved into a
 13 relationship?
 14 A Yes.
 15 Q But that had nothing to do with the Mormon
 16 church; correct?
 17 A At first, there was this lady that told me to
 18 go talk to him. After she knew that my dad had left,
 19 told me to go talk to him for counseling and stuff
 20 like that but I never really took it into
 21 consideration. I was young and I didn't want to
 22 listen to anybody.
 23 Q I understand that.
 24 You never went to Gary Jones, even what that
 25 lady said for spiritual guidance?

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14 (Pages 50 to 53)

Page 50

1 A No, I did not. I told my mom, and my mom
2 just started laughing. "You don't need that."
3 Q And now as I understand the situation though,
4 is that after your father was apprehended and after
5 you came back from the shelter, the Mormon church
6 tried to help your family?
7 A Yes, with food.
8 Q And you're not critical of the church for
9 trying to help your family, are you?
10 A No, I'm not, that was a good thing that they
11 did because we were on the down side.
12 Q Right and the Mormon church I think got you
13 some food services?
14 A Yes.
15 Q And that was welcomed and you're thankful for
16 that; correct?
17 A Yes.
18 Q And they also I think got some clothing; do
19 you remember that?
20 A I just know the food part, not the clothes.
21 Q You're not blaming, in this case, the Mormon
22 church for assisting your family, are you?
23 A No.
24 Q That's something that you're grateful for?
25 A Yes.

Page 52

1 about Mr. Jones?
2 A I would say about two or three months after
3 when my mom started talking to me saying that, "You
4 shouldn't be that way," and stuff like that.
5 Q When she said "that way --
6 A Like being rude --
7 Q And hateful?
8 A Yes.
9 Q Did Mr. Jones ever talk to you about any of
10 the Mormon church activities?
11 A No.
12 Q Did he ever mention primary activities for
13 children young children age three to ten?
14 A All he said was just like they do fun things
15 like arts and crafts.
16 Q But you weren't interested?
17 A No.
18 Q Did he mention anything about the Merry Miss
19 activities?
20 A The what?
21 Q Merry Miss?
22 A I don't know what that is.
23 Q All right.
24 Did he indicate -- did he mention anything to
25 you about the beehive activities?

Page 51

1 Q And Mr. Jones was the person that had helped
2 get you that Mormon assistance, that Mormon church
3 assistance?
4 A I believe so.
5 Q You don't hold that against Mr. Jones, do
6 you?
7 A No.
8 Q And are you grateful to Mr. Jones at least
9 for --
10 A Helping us out with the food, yes.
11 Q Through the Mormon church?
12 A Yes.
13 Q All right.
14 A Because I don't think anybody else would.
15 Q Right.
16 Okay. So after the assistance is given to
17 your family, is this that time where you indicate that
18 you kind of hated him?
19 A Yes.
20 Q Even though Mr. Jones is getting the Mormon
21 church to provide food assistance for your family, you
22 don't like him at that time?
23 A No.
24 Q How long was it after the Mormon church
25 helped your family that you began to feel differently

Page 53

1 A I have no idea what that is.
2 Q That's a program set up for girls between 12
3 and 18 years old within the church. No discussion
4 with Mr. Jones about beehive activities?
5 A No.
6 Q Did he mention anything to you about Mea maid
7 Activities?
8 A No.
9 Q Do you know what that is?
10 A No.
11 Q Ever heard of it before today?
12 A No.
13 Q Those are church activities for girls between
14 the age of 14 and 15. Is this the first time you've
15 heard that?
16 A The first time ever.
17 Q And Mr. Jones never mentioned that to you?
18 A No.
19 Q And how about laurel activities?
20 A No.
21 Q Mr. Jones never mentioned anything about
22 laurel activities for girls in the church age 16 to
23 18?
24 A No.
25 Q How about the combined youth activities, did

DA-DAZE-NOM MANZANARES - 06/26/07

15 (Pages 54 to 57)

Page 54

1 he ever talk about that other than the arts and
2 crafts?
3 A No.
4 Q He didn't try to make you or suggest to you
5 that you should be part of these activities, did he?
6 A No. All he said is, "You should just try it
7 out."
8 Q You made a pretty definite answer to that,
9 didn't you?
10 A Yes.
11 Q And it would fair to say, in this case ma'am,
12 that you made it clear to Gary Jones that you wanted
13 nothing to do with the Mormon church?
14 A Yes.
15 Q And it's still your position?
16 A Yes.
17 Q So if I start working on you, it's not going
18 to work?
19 A It won't work.
20 Q Do you know anything about the Temple?
21 A You mean that big thing that goes like that?
22 Is it a church or what?
23 Q Yeah. Well, you've answered my question.
24 Do you know what a Branch President is in the
25 Mormon church?

Page 56

1 religion?
2 A No.
3 Q Well, wait a minute, we're both saying the
4 same thing.
5 Is it true that your relationship with Mr.
6 Jones had nothing to do with religion; correct?
7 A Correct.
8 Q Okay. Thank you.
9 I have the statement in front of you. I want
10 to kind of walk through it with you, if you don't
11 mind. We're on Page 8, and we went through a little
12 bit on Page 9. I want to turn to Page 10.
13 You give the detective in this statement
14 about line six you say, "Okay. It's coming back."
15 She asked the question. "Okay. Explain to me what
16 happened at the Owyhee -- let me do this. I'm going
17 to move ahead to Page 25.
18 After I show you the videotape, ma'am, I'm
19 going to ask you some questions about what's on Page
20 25 of the transcript. I think the record should
21 reflect that the court reporter is not going to
22 transcribe what's being played at this time.
23 (The tape was played.)
24 BY MR. ROBISON:
25 Q All right.

Page 55

1 A Isn't it like a co-pastor or something. I
2 really don't know.
3 Q Do you know what, if any, position Mr. Jones
4 had with the Mormon church when you and he were
5 involved?
6 A At the time, I think he was the Bishop,
7 that's what they called him.
8 Q Who called him that?
9 A The church people, church members.
10 Q Do you know where the church was located in
11 Owyhee?
12 A Yes, over by the hospital.
13 Q Do you know what Mr. Jones did there?
14 A Preach, I guess.
15 Q But he never preached to you?
16 A No.
17 Q And you never prayed together?
18 A No.
19 Q Did you share your -- your religious beliefs,
20 your spiritual beliefs, did you share those with him?
21 A No.
22 Q Was that something not involved?
23 A No.
24 Q So it would be fair to say that your
25 relationship with Mr. Jones had nothing to do with

Page 57

1 Do you recall now, after seeing the video,
2 giving the statement to Detective Bowers?
3 A Yes.
4 Q And that is you in the video?
5 A Yes.
6 Q And our transcript of the video reflects that
7 that statement was given, ma'am, on February 3, excuse
8 me, February 4, 2003?
9 A Okay.
10 Q I think that this would have been after you
11 came back from Boise?
12 A Yes.
13 Q And you just resumed the school year?
14 A Yes.
15 Q Where you tried to make up for that lost
16 time; correct?
17 A Yes.
18 Q Now, did you know the importance of telling
19 Miss Bowers the truth?
20 A Yes.
21 Q And did you tell her the truth?
22 A Yes.
23 Q Now, in this statement, as we see on page --
24 I think we should start with Page 24 or 25. We'll
25 start at the top. Are you with me?

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16 (Pages 58 to 61)

Page 58

1 A Yes.

2 Q You go down to the question on line six.

3 Detective Bowers asked you, "Well, between

4 November -- after the Ameritel Inn, you're talking

5 about another eight or nine months. Did you ever go

6 on another trip with him."

7 You say, "No because his wife," and then it's

8 inaudible. Do you remember what you said about his

9 wife?

10 A His wife came back.

11 Q So you couldn't go on a trip with Mr. Jones?

12 A Yes.

13 Q So that should read, "No because his wife

14 came back?"

15 A Yes.

16 Q On line ten of Page 25. Thank you.

17 Then she asked, "But you used to meet him

18 there on the reservation?" And you answer, "I talked

19 to him every now and then." Then she says, "Did you

20 have sex with him again?" Answer "No."

21 She says question, "After the Ameritel Inn,

22 you never had sex with him again?" Your answer "No."

23 Question. "So you had sex with him a total of four

24 times?" And your answer is "Uh-huh." She says,

25 "You're sure?" And you say, "Uh-huh." And the

Page 60

1 A Before.

2 Q All right.

3 And Elko then -- the Elko Ameritel Motel

4 would have been then the last time that you had a

5 sexual relationship with Gary Jones?

6 A Yes.

7 Q True?

8 A Yes.

9 Q And this gets a little dicy but bear with me.

10 And that was purely vaginal sex?

11 A Yes.

12 Q No oral sex?

13 A No.

14 Q And how long before the Ameritel Hotel Motel

15 relationship was it going back in time that you had a

16 sexual relationship with Mr. Jones at his house or at

17 in his truck?

18 A At the house was about three weeks prior to

19 the Ameritel Inn.

20 Q Okay.

21 A And the truck one was about -- I would say

22 about a month.

23 Q All right.

24 So the first time that you had a physical

25 sexual relationship with Mr. Jones would have been

Page 59

1 question is, "You're telling me the truth?" And you

2 say "Uh-huh."

3 Then the next question she says, "It's very

4 important did you have a relationship of any kind with

5 him after that?" Answer, "I just tried talking to him

6 and stuff." Question. "But there was no sex at the

7 school, no sex on the reservation in Owyhee or

8 anywhere?" Your answer "No." Was that truthful?

9 A Yes.

10 Q Okay.

11 So in this situation this whole case that

12 we're here for today really is about what happened at

13 that motel, true?

14 A Yes.

15 Q Insofar as the sexual contact?

16 A Yes.

17 Q The only sex you had with Gary Jones, ma'am,

18 was at the Ameritel Hotel in Elko Nevada in November

19 of 2001, true?

20 A At the motel, yes, that is true but within

21 the reservation, we did it about I would say two

22 times. One was at his house, and one was in his

23 pickup.

24 Q Okay.

25 Was that before Elko or after Elko?

Page 61

1 approximately in the early part of October of 2001?

2 A Yes.

3 Q And I'm asking you to assume that's a month

4 before the Elko motel?

5 A Yes.

6 Q The second time that you had an intimate

7 relationship with Mr. Jones was at his house

8 approximately three weeks before the stay at the

9 motel?

10 A Yes.

11 Q And then there was what is it a four-day stay

12 at the motel?

13 A Something like that.

14 Q And how many times was there sexual relations

15 in the motel, during that period of time?

16 A Two.

17 Q Okay.

18 And I'm not playing games with you but on

19 Page 25 in that area of this transcript, I think you

20 say four. Does that refresh your recollection?

21 A Yes.

22 Q Does that include the other two?

23 A Yes, it does.

24 Q So there's a total --

25 A Because the day -- okay. There's four days

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17 (Pages 62 to 65)

Page 62

1 we were there, right?

2 Q Right.

3 A The last two days, that's when we did it and

4 then plus the other two.

5 Q So this case, ma'am, your very best honest

6 truthful testimony is with regard to sexual encounters

7 four times?

8 A Yes.

9 Q Between approximately October of 2001 and the

10 last two days that you were at the motel in Elko in

11 November of 2001; right?

12 A Yes.

13 Q Thereafter, Lucille Jones gets involved;

14 right?

15 A Yes.

16 Q Not a happy camper, right?

17 A No.

18 Q And that kind of ended the sexual

19 relationship between you and Mr. Jones?

20 A Yes.

21 Q All right.

22 A Prior -- before the sex and stuff, he would

23 just like touch me in places he shouldn't be touching.

24 Q I understand, we'll get there in a moment.

25 What I want to do is put a period. I want to

Page 64

1 Q Mr. Beko is going to ask you more questions

2 about that.

3 A Okay.

4 Q Never were you at the church with Mr. Jones?

5 A Yes. I went there once.

6 Q For what?

7 A He had to do some kind of paperwork with the

8 church.

9 Q Nothing to do with sex though?

10 A No.

11 Q So this church, the Mormon church, is not the

12 location of any sexual activity?

13 A No.

14 Q And no improper touching, no improper

15 anything at the church; correct?

16 A Correct.

17 Q And these are going to be hard questions, I

18 understand that, so bear with me.

19 Why was it that you allowed yourself to be

20 touched or have sex with Mr. Jones in the house --

21 excuse me, yeah in the house? Did you think that you

22 were in love with him?

23 A At the time, yes.

24 Q Why did you think -- what was it about him

25 that you loved or thought you loved at the time?

Page 63

1 make sure that the jury and the judge and everybody

2 knows when the sex ended and it's true, correct, that

3 it ended that weekend in Elko at that motel; correct?

4 A Yes.

5 Q Thereafter, there's no sex between yourself

6 and Mr. Jones?

7 A No.

8 Q All right.

9 Was there improper touching after Elko?

10 A Yes.

11 Q Was there any sex and I don't know, President

12 Clinton had a tough one with that one.

13 Okay. After the motel incident, that's the

14 last time there was intercourse?

15 A Yes.

16 Q Was there improper touching after that, as

17 far as you're concerned?

18 A Yes, touching, feeling and like feeling of

19 the private area and chest area, and there was

20 kissing.

21 Q And how many times after the motel?

22 A I would say every time I went back to school

23 like whenever he would think that nobody was around in

24 the school, like when people were working and kids are

25 in classes and stuff like that.

Page 65

1 A At the time, I would say it was the money.

2 Q Did he appear to have money?

3 A Yes, he did.

4 Q Okay.

5 A When I -- like some field trips I would go to

6 if I needed money, he would give it to me when my mom

7 didn't have it.

8 Q Do you think he took advantage of you because

9 of his money situation?

10 A I would say yes.

11 Q Do you think you -- I'm going to use the word

12 "consent."

13 Did you consent to having sex with him?

14 A You mean giving him the okay?

15 Q Yes.

16 A Yes.

17 Q Did you do that because you thought you loved

18 him?

19 A I did it because I was scared. I thought if

20 he didn't -- if I didn't give him the okay, he would

21 tell or harm me in any way.

22 Q The authorities have recovered your notebooks

23 and your calendars.

24 In those paperwork, I'm sure you're aware of

25 the fact that there's expressions of love?

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18 (Pages 66 to 69)

Page 66

1 A Yes.

2 Q And you are saying in these notes that you

3 love Gary Jones?

4 A Yes.

5 Q And at the time you thought you did?

6 A Yes.

7 Q But we don't see any notes where you say you

8 were afraid of him.

9 After you've had the sex the first time in

10 the truck; right?

11 A Uh-huh.

12 Q You weren't afraid of him after that, were

13 you?

14 A No.

15 Q And it still was a situation where he was

16 spending money on you; correct?

17 A Yes.

18 Q And you thought you had a feeling of love for

19 him?

20 A Yes.

21 Q And that's why you had these intimate

22 relationships?

23 A Yes.

24 Q Okay.

25 He never tried to put any guilt trip on you

Page 67

1 religiously or spiritually, did he?

2 A No.

3 Q He never used any of the Mormon philosophies

4 or beliefs to get you to consent to sex, did he?

5 A No.

6 Q Again, religion was kind of a deal breaker;

7 wasn't it?

8 A Yes.

9 Q All right.

10 Other than the vaginal sex and touching of

11 the breasts and the private parts, no other type of

12 sex; correct?

13 A No.

14 Q All right.

15 After Mr. Jones in August of 2002, there was

16 a suicide attempt; correct?

17 A Yes.

18 Q You went to Boise for a while and you

19 received some treatment?

20 A Yes.

21 Q What kind of treatment?

22 A Psychological.

23 Q All right.

24 Did it help?

25 A Yes, some of it did.

Page 68

1 Q Let me ask you and I want you to explain this

2 answer to me because if you turn to Page 31 of this

3 transcript of you giving a statement to Detective

4 Bowers, 31, please, and you start really on Page 30,

5 the last question.

6 She asked you, "Did you talk to anybody about

7 this in Boise about the suicidal tendencies?" And you

8 say "Uh-huh."

9 Then on Page 31 she says, "And then --", you

10 answered, "At the blank treatment because I inaudible

11 treatment, I wouldn't be cutting myself." And then

12 she says, "Do you think you still need help?" And you

13 said "No," or you actually said "Nope." Was that

14 truthful?

15 A Yes.

16 Q So would it be fair to say in this case, to

17 the judge and jury, that as of February 4, 2003, you

18 did not need any more help?

19 A After then at that time, no, because I didn't

20 want -- I didn't want to be sent back where I was at.

21 I didn't like it there.

22 Q At Boise?

23 A Yes.

24 Q You didn't like the people?

25 A No.

Page 69

1 Q Why?

2 A I don't know, they were just -- I guess I

3 didn't like to be watched all the time.

4 Q I don't like to be watched either.

5 A I wanted privacy.

6 Q After Boise, have you received any medical

7 services, any treatment, psychological, psychiatric?

8 A Yes. I used to talk to this shrink. He was

9 there Wednesdays and Fridays over at the hospital.

10 Q The next several questions I'm going to ask

11 you a little bit about the treatment and things like

12 that but it's about 98 degrees in here. So let's take

13 a recess and cool it down.

14 (A recess was taken.)

15 BY MR. ROBISON:

16 Q Miss Manzanares, we just completed a recess.

17 Without telling me anything that may have

18 been discussed, did you have an opportunity to confer

19 with counsel during the recess?

20 A Just say that again.

21 Q Did you have an opportunity to talk to your

22 attorney during the recess?

23 A About this, no.

24 Q About your testimony today?

25 A No.

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19 (Pages 70 to 73)

Page 70

1 Q So there's nothing that you want to change in
2 your testimony as we sit here right now?

3 A No.

4 Q We're going to go forward with my part of
5 this deposition and everything you've told me so far
6 is the absolute truth and honesty; correct?

7 A Yes.

8 Q You made a comment about being at the church
9 with Mr. Jones to do some paperwork.

10 Was that before the Ameritel motel incident
11 or after; if you recall?

12 A I believe it was before, I'm really not sure.

13 Q Okay.

14 But that would have been the only time?

15 A Yes.

16 Q That you were at the church or on the church
17 premises with Mr. Jones?

18 A Yes.

19 Q All right.

20 Thank you. Listen, we have Exhibit C that
21 I'd like to show you.

22 (A discussion was held.)

23 BY MR. ROBISON:

24 Q Mr. Beko has a good point.

25 Counsel, if you don't mind, I would like the

Page 72

1 It says, "Previous attempts," and it says
2 "One other 12/01." Do you see that?

3 A There shouldn't be.

4 Q Do you recall having an attempted suicide
5 prior to this August 2002 incident where Mr. Jones
6 came over and made a statement?

7 A Not that I remember.

8 Q Okay.

9 A I might have talked about it but not really
10 gave the attempt like how I did in 8/2.

11 Q The "12/01" on this line on Exhibit 3 would
12 have been almost a month after the Ameritel motel
13 situation in Elko; right?

14 A Yes.

15 Q Does that help you within a month or so after
16 the Elko motel room that you would have attempted
17 suicide?

18 A Yes, but I didn't actually attempt. I guess
19 it was a talk, but I never really, actually --

20 Q Why was there talk in December?

21 If this is the case, why would there be talk
22 about suicide about within a month or so after Elko?

23 A Just because people started to find out and
24 they all started teasing and stuff.

25 Q Found out about Elko?

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1 record to reflect that Exhibit A is Exhibit No. 1.
2 Exhibit B is Exhibit No. 2 and I'm now marking Exhibit
3 No. 3, and we would like, if it's okay with counsel,
4 to proceed sequentially throughout these depositions
5 so we have one set of exhibits.

6 (Exhibit No. 3 was marked.)

7 BY MR. ROBISON:

8 Q Exhibit 3, ma'am, is a report we got that's
9 Bates and I think it's our production, PR 106, and
10 it's also part of the School District's production and
11 it's a Suicide or Attempted Suicide Report form. This
12 is the one they did in August after the situation at
13 your home.

14 Did you reside on the reservation at this
15 time on August of 2002?

16 A Yes.

17 Q And did Mr. Jones reside on the reservation?

18 A Yes.

19 Q It says "Month Date" four lines down on the
20 right side 8/02. Do you see that?

21 A Yes.

22 Q And "Method, hanging. Reason: Family
23 problems and stress." Okay?

24 A Yes.

25 Q I'm more interested in the next entry.

Page 73

1 A Yeah, that and what has been going on between
2 me and Gary.

3 Q You told a couple of your friends?

4 A Yes, I did.

5 Q Cheyenne Rose?

6 A Yes.

7 Q And the other one is?

8 A Jillian Putra.

9 Q Right, P U T R A.

10 Throughout the spring of 2002, you're in
11 school; correct?

12 A Yes.

13 Q And you and Mr. Jones are not in any way
14 involved with a sexual relationship that can be
15 defined as intercourse; correct?

16 A Yes.

17 Q Is it still your belief in 2001 that Mr.
18 Jones is affiliated with the Mormon church in any way?

19 A Yes.

20 Q And how was he associated with the church in
21 2002?

22 A Several times he tried to like I guess
23 convert me to the Mormon ways.

24 Q Now, we've discussed that. This is a
25 different question.

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20 (Pages 74 to 77)

Page 74

1 You've told me that religion has nothing to
 2 do with your relationship with Mr. Jones in 2001.
 3 This is a different question. In 2002, what was your
 4 understanding of his position? Did you understand
 5 that he was still this Bishop?
 6 A As far as I knew, yes, I did.
 7 Q So you and he never talked about whether he
 8 obtained any other office at the church in 2002?
 9 A Not that I know of, no.
 10 Q And he never discussed with you his duties
 11 and responsibilities at the church during 2002 and
 12 this is the next year?
 13 A No.
 14 Q All right.
 15 Did he ever tell you that he stepped down as
 16 Bishop?
 17 A He was talking about it, yes. He was saying,
 18 "I should step down," and stuff like that.
 19 Q Other than saying that he should do that, did
 20 he ever tell you that he did do that?
 21 A No.
 22 Q By the time August of 2002 rolls around, it's
 23 still your understanding that he is -- somehow has a
 24 position with the Mormon church?
 25 A Can you repeat that question?

Page 76

1 non-denominational.
 2 Q Rudolph Seahmer came into your household
 3 when?
 4 A I would say the year of 2002.
 5 Q All right.
 6 After the Elko incident because your mother
 7 was back in Oklahoma to see Mr. Seahmer and left you
 8 in that situation?
 9 A Yes.
 10 Q And you are a little bit upset with your
 11 mother the fact that she left you in that situation?
 12 A Yes.
 13 Q You wanted to go with her; correct?
 14 A Yes.
 15 Q And she said "No," and farmed you off to
 16 whomever she could which turned out to be Mr. Jones;
 17 right?
 18 A Yes.
 19 Q And have you and your mother talked about
 20 that and your feelings about that?
 21 A No.
 22 Q Have you told her that you are angry at her,
 23 as you did the police, that she left you in that
 24 position?
 25 A No.

Page 75

1 Q Yes.
 2 By the time this suicide attempt occurred in
 3 August of 2002, was it your understanding at that time
 4 that he still had some position with the Mormon
 5 church?
 6 A Yes.
 7 Q And you still thought he was Bishop?
 8 A Yeah. I wasn't too sure if he did step down
 9 or anything like that.
 10 Q But you and he didn't make that a subject of
 11 your discussions?
 12 A No.
 13 Q And still throughout 2002, religion was kind
 14 of off topic for you and he?
 15 A Yes.
 16 Q To your knowledge, did Mr. Jones ever serve
 17 as a counselor spiritually to your family?
 18 A All I've heard him say to my mom is just that
 19 "Keep on praying," and stuff like that but other than
 20 the counseling, no.
 21 Q All right.
 22 Now, Mr. Seahmer is a minister, isn't he?
 23 A Yes.
 24 Q Baptist?
 25 A I don't know. He might be a

Page 77

1 Q Okay.
 2 A I didn't want for her to I guess put the
 3 guilt on her.
 4 Q I understand.
 5 But you felt that way?
 6 A Yes, even --
 7 Q Still do?
 8 A Yes.
 9 Q Now, your mother returns from Oklahoma a week
 10 or so around this motel incident in Elko?
 11 A Yes.
 12 Q Did Mr. Seahmer come back with her?
 13 A No.
 14 Q They got married when, the early part of
 15 2002?
 16 A I believe so.
 17 Q When did he move in?
 18 A I know he was there --
 19 Q Keep your voice up, please.
 20 A I know he was there for the time I went into
 21 treatment and then when Gary and Lucille came over to
 22 the house --
 23 Q He was there?
 24 A Yes, he was living there.
 25 So I think it was in February of 2002 he was

DA-DAZE-NOM MANZANARES - 06/26/07

1 STATE OF NEVADA)
) ss.

2 COUNTY OF WASHOE)
3

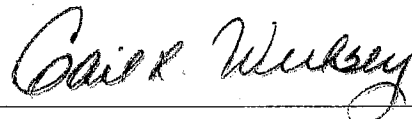
4 I, GAIL R. WILLSEY, a notary public in and
5 for the County of Washoe, State of Nevada, do hereby
6 certify:

7 That on Tuesday, the 26th day of June, 2007,
8 at the offices of ROBISON, BELAUSTEGUI, SHARP AND LOW,
9 71 Washington St., Reno, Nevada, personally appeared
10 DA-DAZE-NOM MANZANARES, who was sworn by me, and was
11 deposed in the matter entitled herein;

12 That said deposition was taken in stenotype
13 notes by me, a Certified Shorthand Reporter, and
14 thereafter transcribed into typewriting as herein
15 appears;

16 That the foregoing transcript, consisting of
17 pages 1 through 321, is a full, true and correct
18 transcription of my stenotype notes.

19 DATED: At Reno, Nevada, this 11th day of
20 July, 2007.

21
22 
23

24 GAIL R. WILLSEY, CSR #359
25